

Fiscal Services Division

Legislative Services Agency

Fiscal Note

SF 169 - Methamphetamine Precursors (LSB 1123 SV)

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Fiscal Note Version - New

Description

Senate File 169 relates to the regulation of substances which are precursors to amphetamine and methamphetamine and provides a penalty. The Bill restricts bail for persons charged with the manufacture, delivery, or possession with intent to deliver, or distribution of methamphetamine, by requiring offenders to be supervised and to undergo random drug tests as a condition of release on bail. The Sections of the Bill that make ephedrine and most pseudoephedrine products a Schedule V controlled substance take effect upon enactment.

Assumptions

1. A lag effect of six months is assumed from the law's effective date to the date of the first entry of affected offenders into the correctional system.
2. In calendar year 2003, there were approximately 2,400 arrests for amphetamine and methamphetamine.
3. There are approximately 500 people on pre-trial release supervision charged with manufacturing, delivery, or possession with intent to deliver, or distribute methamphetamine. Under current law, approximately 21.0% of all people arrested for these charges are released on pre-trial release supervision. The remaining 79.0% of the people may remain in jail or be released by some other method, such as release on their own recognizance or by posting bail. Under the Bill, there will be approximately 875 new cases for pre-trial release supervision.
4. Community Based Corrections (CBC) staffing standards are one probation officer for every 60 people on pre-trial release.
5. The total cost for urinalysis testing is \$180 for each person based on a six month average length of stay on supervision. This figure includes random testing at least four times a month over the six month supervision period.
6. In calendar year 2004, there were approximately 1,500 meth labs seized by State and local law enforcement. Approximately 42.0% of these labs were seized by the State. Senate File 169 may reduce the number of labs seized by approximately 24.0% annually based on similar legislation enacted in other States.
7. In calendar year 2004, the total cost to clean up meth lab sites in Iowa was \$1.2 million (\$800 per site). This figure includes a mix of federal, State, and local funds. Approximately 40.0% of the Division of Narcotics Enforcement's budget is federal funds, which are anticipated to decline in future fiscal years.
8. There have been no convictions for any retail provisions concerning precursors or the enhanced penalties for theft of pseudoephedrine. The law took effect July 1, 2004.
9. The average State costs for one new simple misdemeanor conviction ranges from \$14 to \$270. The average State costs for one new serious misdemeanor conviction ranges from \$100 to \$4,000. The costs may be incurred across multiple years while the offender is supervised in the correctional system.

Correctional Impact

Senate File 169 may result in approximately 875 additional people annually being supervised in CBC and required to undergo random drug testing.

Fiscal Impact

The bail restrictions of SF169 will impact CBC District Department budgets. Costs in FY 2006 are anticipated to be approximately \$454,000 (staff and testing supply costs) and 7.5 FTE positions. Annualized costs in FY 2007 are anticipated to be approximately \$908,000 and 15.0 FTE positions.

It is anticipated the costs of the new simple misdemeanor and the enhanced penalty for theft will not result in a significant fiscal impact.

Any State, federal, and local savings generated by a reduction in meth labs will be redirected to other drug interdiction efforts by State and local law enforcement. Any savings generated by the provisions of SF 169 cannot be determined.

Under current law, there have been no civil penalty convictions. The law took effect July 1, 2004. Senate File 169 defines a graduated scale of civil fines. It is anticipated there will be no additional civil penalty revenue generated from SF 169.

Sources

Department of Human Rights, Criminal Juvenile Justice Planning
Department of Corrections
Department of Public Safety
Governor's Office of Drug Control Policy

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.
